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10 UNITED STATES DISTRICT COURT  
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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13 BAY AREA PAINTERS AND TAPERS  
PENSION TRUST FUND, et al.

14 Plaintiffs,  
15 v.

16 BARBARA JEAN BANKS, individually and  
*dba* B & C PAINTING AND DECORATING,

17 Defendant.  
18

Case No.: C10-0024 EMC

**NOTICE OF VOLUNTARY DISMISSAL  
ORDER**

19 PLEASE TAKE NOTICE that pursuant to F.R.C.P., Rule 41(a)(1), Plaintiffs BAY AREA  
20 PAINTERS AND TAPERS PENSION TRUST FUND, et al., voluntarily dismiss, without  
21 prejudice, their claim against Defendant BARBARA JEAN BANKS, individually and *dba* B & C  
22 PAINTING AND DECORATING. Defendant has neither served an answer nor moved for  
23 summary judgment, and Plaintiffs have not previously filed or dismissed any similar action  
24 against Defendant.  
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1 It is therefore requested that this action be dismissed without prejudice.

2 I declare under penalty of perjury that I am the attorney for the Plaintiffs in the above-  
3 entitled action, and that the foregoing is true of my own knowledge.

4 Executed this 15th day of December, 2010, at San Francisco, California.

5 SALTZMAN & JOHNSON  
6 LAW CORPORATION

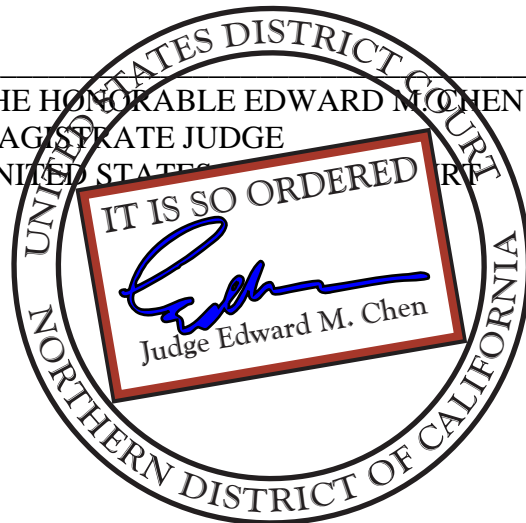
7 By: /S/Muriel B. Kaplan  
8 Muriel B. Kaplan  
9 Attorneys for Plaintiffs

10 IT IS SO ORDERED.  
11

12 This case is dismissed without prejudice and all dates in this matter are vacated.

13 Date: 12/16/10  
14

15 THE HONORABLE EDWARD M. CHEN  
16 MAGISTRATE JUDGE  
17 UNITED STATES DISTRICT COURT  
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PROOF OF SERVICE

I, the undersigned, declare:

I am a citizen of the United States and am employed in the County of San Francisco, State of California. I am over the age of eighteen and not a party to this action. My business address is 44 Montgomery Street, Suite 2110, San Francisco, California 94104.

On December 15, 2010, I served the following document(s):

**NOTICE OF VOLUNTARY DISMISSAL**

on the interested parties in said action by First Class U.S. Mail, by placing a true and exact copy of each document in a sealed envelope with postage thereon fully prepaid, in a United States Post Office box in San Francisco, California, addressed as follows:

**Barbara Jean Banks**  
***dba B & C Painting and Decorating***  
**4026 – 3rd Street #301**  
**San Francisco, California 94124**

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on this 15th day of December, 2010, at San Francisco, California.

\_\_\_\_\_/S/\_\_\_\_\_  
Vanessa de Fábrega